

**AMENDMENT NUMBER 01
TRAFFIC SIGNAL MAINTENANCE AGREEMENT
Deschutes County**

This is Amendment No. 01 to the Agreement between the **State of Oregon**, acting by and through its Department of Transportation, hereinafter referred to as "State," and **Deschutes County**, acting by and through its elected officials, hereinafter referred to as "Agency," entered into on 12 August, 2019.

This Agreement is now identified as Agreement No. 73000-00048303. All terms remained unchanged, except as amended herein.

It has now been determined by State and Agency that the Agreement referenced above shall be amended to extend the expiration date and assign the Agreement a new agreement number in the Oregon Buys system.

New language is indicated by underling and italics and deleted language is indicated by strikethrough.

1. **Effective Date.** This Amendment shall become effective on the date it is fully executed and approved as required by applicable law.

2. **Amendment to Agreement.**

a). **TERMS OF AGREEMENT, Paragraph 5, page 2 shall be amended to read as follows:**

5. This Agreement shall become effective on the date that all required signatures are obtained and shall terminate on June 30, ~~2025~~ 2027 unless extended by a fully executed Amendment to this Agreement. Any pre-existing maintenance and electrical energy responsibilities shall survive termination of this Agreement.

b). **Insert new RECITALS, Paragraphs 5 and 6, to read as follows:**

5. State anticipates the introduction of an updated Traffic Signal Maintenance agreement template within the next two (2) years. Until said updated Traffic Signal Maintenance agreement template becomes available the Parties wish to extend the existing Agreement by two (2) years.

6. Parties intend that when the updated Traffic Signal Maintenance agreement template becomes available, to enter into a new agreement and which time this Agreement will be terminated.

c). **STATE OBLIGATIONS, Paragraph 6, shall be deleted in its entirety and shall be identified as Reserved.**

d). **STATE OBLIGATIONS, Paragraph 7, shall be amended to read as follows:**

7. State's ~~secondary~~ contact for this Agreement is the David Hirsch – Region Traffic Operations Engineer, 4670, Bldg K, 673055 N Highway 97, Bend, Oregon 97703, (541) ~~388-6472~~ 604-4977, david.hirsch@odot.state.or.us, david.hirsch@odot.oregon.state, or assigned designee upon individual's absence. State shall notify the other party in writing of any contact information changes during the term of this Agreement.
3. **Counterparts.** This Amendment may be executed in two or more counterparts (by facsimile or otherwise) each of which is an original and all of which when taken together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.
4. **Original Agreement.** Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect. Agency certifies that the representations, warranties and certifications in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.
5. **Electronic Signatures.** The Parties agree that signatures showing on PDF documents, including but not limited to PDF copies of the Agreement and amendments, submitted or exchanged via email are "Electronic Signatures" under ORS Chapter 84 and bind the signing Party and are intended to be and can be relied upon by the Parties. State reserves the right at any time to require the submission of the hard copy originals of any documents.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

SIGNATURE PAGE FOLLOWS

DESCHUTES COUNTY, by and through
its elected officials

By _____
Commission Chair
Date _____

By _____
Commissioner

Date _____

By _____
Commissioner

Date _____

**LEGAL REVIEW APPROVAL (If
required in Agency's process)**

By _____
Agency Counsel

Date _____

Agency Contact:

Cody Smith – County Engineer
6150 SE 27th Street
Bend, OR 97702
(541) 322-7113
cody.smith@deschutes.org

State Contact:

David Hirsch – Region Traffic
Operations Engineer
63055 N Highway 97, Bldg K
Bend, OR 97703
(541) 604-4977
david.hirsch@odot.oregon.gov

STATE OF OREGON, by and through
its Department of Transportation

By _____
Mark Barrett Region 4 Traffic Design and
Ops Manager per R4M-02-06

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

By__Exempt_____
Assistant Attorney General

Date: _____